

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RICKY WADE DAVIS, #173073)
Plaintiff,)
v.) CASE NO. 2:06-CV-10-MEF
SGT. BRYANT, *et al.*,)
Defendants.)

ANSWER

COME NOW, the Defendants, **Donal Campbell, Gwendolyn Mosley, Robert Bryant, William Floyd, and Kerry Williams**, and in accordance with this Honorable Court's Order of January 24, 2006, do hereby submit the following Answer to plaintiff's Complaint.

1. Defendants admit that plaintiff was taken from his cell and escorted to the segregation lobby, but deny the remaining allegations in Ground One of plaintiff's Complaint and demand strict proof thereof.
2. Defendants deny that plaintiff is denied his medicine bag, and deny the remaining allegations in Count Two of plaintiff's complaint due to the dynamic nature of the classification of the prisoner plaintiff. (See Ex. A of Special Report.)
3. Defendants deny violating Plaintiff's constitutional rights.
4. Defendants deny all allegations not expressly admitted herein.

DEFENSES

1. It is in Easterling's penological interest to segregate the plaintiff from the general population due to plaintiff's repeated violations of prison rules.
2. Defendants named in their official capacities are immune by virtue of sovereign immunity.
3. Defendants named in their individual capacities are immune by virtue of qualified immunity.
4. Defendants did not violate plaintiff's constitutional rights under the First or Eighth Amendments of the Constitution of the United States.
5. Plaintiff has failed to allege facts sufficient to support an excessive force claim.
6. Plaintiff has failed to state a claim upon which relief can be granted.

RESPECTFULLY SUBMITTED,

TROY KING
ATTORNEY GENERAL
(KIN047)

s/ J. Matt Bledsoe
J. Matt Bledsoe (BLE 006)
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF SERVICE

I hereby certify that I have, this the 4th day of April, 2006, served a copy of the foregoing upon the Plaintiff, by placing same in the United States Mail, postage prepaid and properly addressed as follows:

MR. RICKY WADE DAVIS, #173073
EASTERLING CORRECTIONAL FACILITY
200 WALLACE DRIVE
CLIO, ALABAMA 36017

s/ J. Matt Bledsoe _____
J. Matt Bledsoe (BLE 006)
ASSISTANT ATTORNEY GENERAL

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